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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF
AMERICA,

Plaintiff,

v.

RICHARD LEE CANTERBURY,

Defendant.

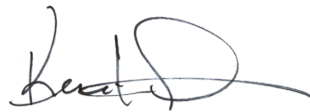
Case No. 2:16-CR-107-KJD-PAL
ORDER

Presently before the Court is Defendant’s Affidavit in Support of Ammed
[sic] Motion to Replace Trial and Magistrate Judge (#97). Construing
Defendant’s *pro se* pleading liberally, the Court takes this to be an amended
motion to disqualify the present judges assigned to this action. The Court
previously denied (#92) Defendant’s prior motion because it included no
affidavit as required by statute, it made conclusory statements about disparate
treatment without providing specifics, and it relied on prior adverse rulings as
evidence of bias. Other than filing the affidavit, the amended motion fails to cure
any of the deficiencies noted by the Court. Furthermore, the amended motion is
untimley. See 28 U.S.C. § 144 (affidavit must be file ten (10) days before trial).

1 Based on Defendant's filings since the Court granted his request to represent
2 himself and granted a two-week continuance instead of the six-month
3 continuance Defendant sought, the Court finds that Defendant's motion is made
4 for the purpose of delay.

5 Accordingly, IT IS HEREBY ORDERED that Defendant's Amended
6 Motion (#97) is **DENIED with prejudice**.

7 DATED this 14th day of February 2018.

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11 Kent J. Dawson
12 United States District Judge
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